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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

US Patent Appln. No.:

10/643,319

Confirmation No. 3826

**CERTIFICATE OF MAILING** 

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Katrina Holland

**Inventors** 

Michael D. Ruff et al.

Filed

August 19, 2003

Art Unit

1615

Examiner:

Retford Berko

Docket No.

019031-000010

Customer No.

24239

Title

COATED DIBASIC CALCIUM PHOSPHATE

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

## STATEMENT RE SUBSTANCE OF OCTOBER 28, 2005 TELEPHONIC INTERVIEW

Sir:

This is in connection with the request by Examiner Berko in his November 4, 2005 Office Action (Restriction Requirement reciting Groups I - V) to provide the above-captioned Statement within 1 month of the interview date, namely by **November 28, 2005**.

During the October 28, 2005 telephonic interview, the below undersigned attorney discussed with Examiner Berko that his October 6, 2005 Office Action (Restriction Requirement reciting Groups I - IV)) failed to mention claims 16 - 28.

The undersigned attorney and Examiner Berko agreed that he would issue a fresh Office Action (Restriction Requirement) that would re-start the time for responding, and reciting claims 16-28 as Group V.

Examiner Berko has now forwarded the fresh Office Action, namely the November 4, 2005 Office Action (Restriction Requirement reciting Groups I – V) which re-starts the time for responding.

Examiner Berko is thanked for taking the time to attend to this matter.



US Patent Appln. No. 10/643,319 November 10, 2005 Statement

## **DEPOSIT ACCOUNT**

Although it is believed that no fee is due, the Commissioner is authorized to charge any deficiencies of payment associated with this communication, or to credit any overpayment, to **Deposit Account No. 13-4365**.

Respectfully submitted,

Date: November 10, 2005

Jennifer L. Skord

Reg. No. 30,687

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TRANSMITTAL FORM		Application Number	10/643,319  August 19, 2003  Michael D. Ruff			
		Filing Date				
		First Named Inventor				
		Art Unit	1615			
(to be used for all correspondence after initial filing)		Examiner Name	Retford Berko			
Total Number of Pages in This Submission	3	Attorney Docket Number	019031-000010			

ENCLOSURES (check all that apply)							
Fee Transmittal Form Fee Attached  Amendment / Reply After Final Affidavits/decla Extension of Time Re Express Abandonme Information Disclosur  Certified Copy of Price	equest ent Request re Statement	ENCLOSURES (check all that apply  Drawing(s)  Licensing-related Papers  Petition  Petition to Convert to a Provisional Application  Power of Attorney, Revocation Change of Correspondence Address  Terminal Disclaimer  Request for Refund  CD, Number of CD(s)	Afte App of A App (App (App  Stat  Othe Sta	peal Coruppeals peal Coruppeals prietary tus Lette er Enck pow): ptement 28, 200	ance Communication to Group nmunication to Board and Interferences nmunication to Group ice, Brief, Reply Brief) Information er osure(s) (please identify a Re Substance of October 5 Telephonic Interview; and dgement Postcard		
Documents	Documents  Landscape Table on CD						
Response to Missing Parts/ Incomplete Application  Response to Missing Parts under 37 CFR 1.52 or 1.53							
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT							
Firm Name MOORE & VAN ALLEN							
Signature	Jember Johnson						
Printed Name JENNIFER L. SKORD							
Date	November 10, 2005			30,0	687		
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I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.							
Signature Karima Hollum							
Typed or printed name	Katrina Holla				November 10, 2005		

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.